

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Police – Kurnool District – Permission to prosecute the accused in Cr.Nos.123/2007 to 145/2007 under Section 153-A of the Indian Penal Code, 1860 of Kurnool – I Town Police Station – Declined – Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 247

Dated:13.02.2009  
Read the following:

1. From the Collector & District Magistrate, Kurnool District, Lr.Rc.C5.279 to 301/M/2008, Dated:23.04.2008.
2. From Sri M.A.Gafoor, Hon'ble MLA, Kurnool Assembly Constituency, representation, Dt:13.06.2008 and 16.06.2008.
3. Govt.Memo.No.14983/Courts-B2/2008-1, Dated:05.08.2008.
4. From the Collector & District Magistrate, Kurnool District, Lr.Rc.C5.279/M/2008, Dated:23.12.2008.
5. From Sri M.A.Gafoor, Hon'ble MLA, Kurnool Assembly Constituency, representation, Dt:06.01.2009.

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ORDER:

In his letter 1<sup>st</sup> read above, the Collector & District Magistrate, Kurnool has stated that the final cricket match between India and Pakistan in the Twenty-20 World Cup was held on 24.09.2007 and the match ended at 8.45 p.m. wherein Indian Team emerged victorious against Pakistan and the youth in Kurnool town started celebrating Indian Cricket team victory by moving around in large groups, beating drums, bursting crackers, making loud noise and raising slogans against Pakistan during the month of Ramzan and at that time "Tarabi Namaj" prayers were going on in all mosques including Badam mosque which is one of the important mosque in Kurnool Town. The Hindu youth started creating loud noise by raising slogans against Pakistan and also chanted slogans praising Lord Rama by beating drums and bursting crackers. Some of the miscreants also tied a small saffron flag to the grill of the mosque. The Muslim youth came on roads and ransacked the Autos, Motor Cycles, Cars belonging to Hindu community people and also damaged the Maruti car and auto belongs to the Muslim people. The muslim youth went on rampage in the streets damaging the properties and created a terrorizing atmosphere by carrying stones and iron rods. The Police force intervened and brought the situation to normalcy by posting picket and organizing patrolling. In the meanwhile, the public representatives and the elders of both the communities intervened and pacified the emotional crowds.

2. Based on the report of the Superintendent of Police, Kurnool and on the opinion of Senior Assistant Public Prosecutor (Admin.), Kurnool, the District Collector, Kurnool has requested the Government to accord permission to prosecute the following accused, all residents of Kurnool Town booked in Cr.Nos.123/2007 to 145/2007, under various sections, viz., under sections 147, 148, 427, 436 including Section 153-A read with 149 of the Indian Penal Code, 1860 of Kurnool I-Town Police Station, in connection with the riots between Hindu and Muslim Community that took place on the evening of 24.09.2007, after Twenty - 20 World Cup Cricket Match between India and Pakistan in which the Indian Cricket Team emerged victorious over Pakistan Cricket Team:-

S/Sri

1. Md.Ayub, S/o Ghouse Mia, H.No.23/78, Chatribagh,
2. S.Md.Sardar; S/o S.Md. Ibrahim, H.No.32/498, Bekarikatta
3. Shaik Buran; S/o Abdul Subhan, H.No.23/62, Sagumandi Street,
4. S.Dilshad; S/o Madhar Sab, H.No.22/56, Alishare Bagh Street,
5. Khaja Mohiddin; S/o Anwar Hussain, H.No.23/9, Chinna Market,
6. S.Abdul Waheed; S/o Shaik Abdul Hameed, H.No.17-18, Khadakpura Street,
7. Shaik Firoz; S/o S.Farook, H.No.34/94-14, Chatribagh,
8. Md.Umar, S/o Mohd. Ghouse, H.No.23/78, Chatribagh,
9. Approza; S/o Ismail Miah, H.No.23/177, Ganigalli Street,

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10. Shaik Jakeer;, S/o Shaik Sakur Miah, H.No.23/37, Ganigalli Street,
11. Shaik Javed; S/o Shaik Azeez, H.No.13/81, Mandi Bazar,
12. Md.Mukthiyar; S/o Iqbal Ahammad Khan, H.No.11/108, Doctor Gaffar Street,
13. Patan Mazeed Khan; S/o Jabbir Khan, H.No.9/95-B, Khaleel Street,
14. Shaik Moyeen, S/o Shaik Haji Basha, H.No.24/57, Ganigalli Street,
15. Md.Saleem @ Don; S/o Dada Basha, H.No.5/213-A, Chinna Rangaraju Street,
16. Shaik Abdullah Khan @ Abdulla, S/o Dastagiri Khan, Chittarigeri,
17. Shaik Nazeer; S/o Asumiah, Jammichettugeri,
18. Shaik Ismail @ Jajju; S/o Asumiah, Gadda Street,
19. Shaik Dada Basha; S/o Muneer Basha, H.No.34/18, Kummarigeri,
20. Shaik Hassan;S/o Gownda Ibrahim, H.No.34/202, Kommarigeri,
21. Shaik Usman Khan; S/o Jeelani, Chinna Market Lane,
22. Shaik Shaili Basha; S/o Ustad Khasim Miah, Talim Masjidgadda,
23. Md.Ayub; S/o Ghouse Miah, H.No.23/78, Sagumandi,
24. Shaik Kareem; S/o Murtuza, H.No.15/111, Khadakpura Street,
25. Syed Gunda Khaleel, S/o Syed Yousuf, H.No.15/230, Khadakpura,
26. Shaik Ahammad; S/o Gafoor Miah, H.No.16/111, Khadaura Street
27. Shaik Nazar; S/o Nabisa, H.No.10/97, MB Dharga,
28. Shaik Muneer @ Kappa, S/o.Khaja Mohiddin, H.No.32/285, Gadda Street,
29. Shaik Chand Basha, S/o.Shaik Abdul Sammad, H.No.22/29-A1, Sagumandi Street
30. Syed Jeelani, S/o.Haji Basha, H.No.23/134-A, Sagumandi;
31. Shaik Irfan, S/o.Pala Yousuf, H.No.22/102-A, Sagumandi Street
32. Shaik Ghouse, S/o.Pala Yousuf, H.No.22/102-A, Sagumandi Street
33. Patan Ameer, S/o.Saleem, Kaleel wada, Pedda Market
34. Hazisa @ Khaja Hussain, S/o.Shaik Hussain, H.No.19-285-L-1, Bandimetta,
35. Shaik Rasheed, S/o.Shaik Sathar Miah, H.No.7/7-B, Telugugeri
36. Katika Yousuf;, S/o.Khaja Miah, H.No.5/207, Chinnarangaraju Street
37. Md.Saleem @ Don, S/o.Dada Basha, Chinnarangaraju Street
38. Kencherla Suresh @ Virupakshi;, S/o.K.Jayanna, H.No.56-1-C,Peddmarket
39. Telugu Raghu @ Teluru Raghavendra;, S/o.Buchenna, H.No.19-285-L-B, Bandimetta
40. Gorla Chinna Laxmaiah @ Lakshman @ Lakshmipathi, S/o.Seeranna, H.No.3/123, Osmania College Road
41. P.Mahesh, S/o.Naganna, H.No.35-223, Komarigeri
42. Kalugotla Raghunath @ Raghu, S/o.K.Sankara Rao, H.No.2/330, Madam Street
43. Imdi Rajasekhar @ Dish Sekhar, S/o.E.Eswaraiah, H.No.6/49, Telugugeri
44. Telugu Arjun, S/o.T.Narsimhulu, H.no.34/105-A-7, Chatribag
45. Chakali Sudhakar @ Vasu, S/o.Krishnaiah, H.No.1-148, Telugugeri
46. Kuradi Sreenivasulu, S/o.K.Krishna, H.no.1-403, I-Town, Main Bazar
47. Kuruva Sateesh Kumar @ Sateesh, S/o.K.Srinivasulu, H.No.2-2-19, Peddapada Kana
48. Guntha Eswaraiah @ Eswar, S/o.Lingeswarlu, H.No.40-6/173, Telugugeri
49. Chakali Pasapala Bala Krishnudu @ Balu, S/o.Narsimhulu, H.No.3/75-A2, Peddabada Kana
50. Kuruva Siva Ram Prasad @ Siva, S/o.Seshanna, H.No.2/266-A1, Peddapada Khana; and
51. Bestha Siva Prasad, S/o.Jejappa, H.No.6/178, Telugugeri

3. In the meanwhile, vide reference 2<sup>nd</sup> and 5<sup>th</sup> read above, Sri M.A.Gafoor, Kurnool Assembly Constituency in his representation has represented that the riots that prevailed on the evening of 24.09.2007 is not because of the Twenty - 20 Cricket match result, but of the nuisance created at the time of Tarabi Namaz, which was being offered by the Muslim Community in the Holy Month of Ramzan. However, the incidents that took place were not pre-planned, but only happened at the spur of the moment by the unruly mob. Later, elders of both the Communities pacified and the situation was brought to normal and requested the Government not to charge the accused u/s.153-A of the Indian Penal Code, 1860, which was booked against them as there is no communal hatred between the people belonging to two major communities and the incidents which were happened on 24.9.2007 are spontaneous and no criminal clashes took place there. Now everything is peaceful. The gesture in this regard will strengthen the bonds of communal amity and peace at Kurnool..

4. In the reference 3<sup>rd</sup> read above, the Collector & District Magistrate, Kurnool was requested to offer his specific remarks keeping in view of the representation made by the Hon'ble Member. The Collector & District Magistrate, Kurnool in his letter 4<sup>th</sup> read above, based on the report of the Superintendent of Police, Kurnool and the opinion of Sr. Asst. Public Prosecutor concerned, and for the reasons mentioned therein, has requested the Government to take necessary action to prosecute the above accused in Cr.No.123/07 to 145/07 of Kurnool-I Town Police Station under various sections including under section 153-A IPC for creating communal hatredness and promoting enmity between Hindus and Muslims.

5. Government after careful examination of the entire matter and based on the material available on record have decided not to accord sanction to prosecute the accused mentioned in para (2) above, under section 153-A of the Indian Penal Code, 1860 to promote and maintain the peace and harmony between the two groups of major communities. They can be prosecuted in respect of other offences committed by them.

6. The Collector & District Magistrate, Kurnool District is, therefore, directed to take necessary action accordingly under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. SURI APPA RAO,  
SECRETARY TO GOVERNMENT  
LEGISLATIVE AFFAIRS AND JUSTICE (i/c)

To  
The Collector & District Magistrate, Kurnool  
The Director General of Police, A.P., Hyderabad.  
The Superintendent of Police, Kurnool  
The Sr.Assistant Public Prosecutor concerned (thro' Collector concerned)  
Copy to:  
The Law (E) Department  
The P.S. to Secretary (L.A. & J) Dept.  
SC/SF

// Forwarded:by Order //

SECTION OFFICER.